1 2 3 UNITED STATES DISTRICT COURT 4 WESTERN DISTRICT OF WASHINGTON AT TACOMA 5 6 DUSTIN T. FODO, No. C12-6028 RBL/KLS 7 Plaintiff, ORDER ADOPTING REPORT AND v. 8 RECOMMENDATION DOUG RICHARDSON, BRET FARRAR, 9 OFFICER BABCOCK, JOHN DOES 1-4, 10 Defendants. 11 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen 12 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, 13 14 does hereby find and **ORDER**: 15 (1) The Court adopts the Report and Recommendation. 16 This action is **dismissed without prejudice** for failure to prosecute. (2) 17 The Clerk is directed to send copies of this Order to Plaintiff, Defendant Stuhr, (3) 18 counsel for any Defendants who have appeared, and to the Hon. Karen L. Strombom. 19 **DATED** this 10th day of May, 2013. 20 21 22 23 RONALD B. LEIGHTON UNITED STATES DISTRICT JUDGE 24 25 26

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